

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. The amendment to claim 11 is supported by the specification at page 6, lines 14-15.

Rejections Under 35 USC 103

Claims 1, 2, 7-17 and 19 are rejected as being obvious over WO 95/34275 (hereinafter referred to as “D1”), which although discloses cellulose having a particle size of from about 1 μm to 350 μm (page 4, second paragraph), the most suitable range is disclosed to be “from about 20 μm to about 70 μm .”

In the present invention, microcrystalline cellulose is contained in order for providing to an oral composition a better shape-holding ability and dispersibility in an oral cavity, and has a relatively low range of average particle diameter in order for accomplishing the purpose. As described in the specification: “When the average particle diameter of microcrystalline cellulose is larger than 10 micrometer, dispersibility of the oral composition in the oral cavity is deteriorated” (page 6, lines 20 to 22).

In contrast, in the oral hygiene composition of D1, cellulose is contained as a cleansing and/or polishing agent (page 4, paragraph 2), and it is contained as a sole abrasive ingredient to remove stains from the teeth and/or reduce and/or prevent the build-up of stains on the teeth (page 4, paragraph 1).

Therefore, D1 would not have motivated one of skill in the art to arrive at the present invention and it would not have been obvious to have used microcrystalline cellulose having a relatively low range of particle size according to disclosure of D1.

Accordingly, applicants respectfully respect that the rejections for obviousness be withdrawn.

Conclusion

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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